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January 31, 2014

VIA ECF

The Honorable Leonard D. Wexler, U.S.D.J.
U.S. District Court Eastern District of New York
Federal Courthouse
944 Federal Plaza
Central Islip, New York 11722

Re: Donnelly, *et al.* v. Peter Luger of Long Island, Inc.,
2:13-cv-1377 (LDW) (ETB)

Dear Judge Wexler:

This firm and Gottlieb & Associates represent the Plaintiffs in the above-referenced Fair Labor Standards Act and New York Labor Law matter. With Defendant's consent, Plaintiffs request that all interim deadlines be stayed and the February 27, 2014, 2:00 p.m., status conference be adjourned, as the parties are engaged in formal, private mediation to resolve this matter on a class-wide basis. The parties have retained Ruth Raisfield for this purpose, who has substantial experience mediating wage and hour class actions,¹ and have a mediation session scheduled for February 27, 2014.

This is the first adjournment or extension request either party has made regarding these dates. As this requested relief would affect other scheduled dates, I am attaching a proposed scheduling order for the Court's consideration. We appreciate the Court's consideration of this request.

Respectfully submitted,
BRONSON LIPSKY LLP

s/ Douglas B. Lipsky
Douglas B. Lipsky

Enclosure

Cc: Jeffrey Gottlieb, Dana Gottlieb, Glenn Grindlinger and Carolyn Richmond (Via ECF)

¹ <http://www.rdradr.com/ServMed.htm> (Last visited January 30, 2014).

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ROBERT C. DONNELLY, ADAM TARNOWSKI, :
GUILHERME PARREIRA and JOSE ENRIQUEZ :
Individually and on Behalf of All Other Persons :
Similarly Situated, :

Plaintiffs, :

v. :

PETER LUGER OF LONG ISLAND, INC., :

Defendant. :
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ECF CASE

No.: 2:13-CV-1377 (LDW) (ETB)

ORDER STAYING INTERIM DEADLINES

WHEREAS, the parties represent they are actively engaged in formal, private mediation to settle this matter for all would-be collective action members under the Fair Labor Standards Act, 29 U.S.C. § 216(b), and class action members under Fed. R. Civ. P. 23 (a) and (b) for their New York Labor Law claims;

IT IS ON THIS __ DATE OF FEBRUARY 2014, HEREBY ORDERED AS FOLLOWS:

1. All interim deadlines are stayed while the parties pursue formal mediation;
2. The February 19, 2014 deadline for the parties to file the joint pre-trial order is adjourned pending the resolution of the mediation process;
3. The February 27, 2014, 2:00 p.m., status teleconference is adjourned;
4. The February 28, 2014 discovery end date is adjourned pending the resolution of the mediation process; and
5. The parties are to submit a status report to the Court within fourteen (14) calendar days of the February 27, 2014 scheduled mediation on the progress of the

mediation.

SO ORDERED:

Dated: Central Islip, New York
_____, 2014

The Honorable Leonard B. Wexler, U.S.D.J.